

BOROUGH OF PINE BEACH PUBLIC NOTICE

Soliciting of Proposals

PLEASE TAKE NOTICE that the BOROUGH OF PINE BEACH hereby solicits proposals for the below listed legal and professional services.

Four (4) copies of sealed proposals must be submitted to the Municipal Clerk by December 16, 2009 on or before 12:00 p.m. Proposals may be submitted in person at the Municipal Building, 599 Pennsylvania Avenue, Pine Beach, New Jersey, or sealed proposals may be mailed in advance to the attention of the Municipal Clerk (marked "sealed proposal" and the position sought) BOROUGH OF PINE BEACH, 599 Pennsylvania Avenue, Pine Beach, NJ, 08741.

Any persons having questions or to obtain further information should contact Charlene Carney, Municipal Clerk, at (732) 349-6425, 599 Pennsylvania Avenue, Pine Beach, New Jersey. Proposals for the below listed services are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. The following criteria are being utilized as the basis for the award of services:

- A. Experience and reputation in the field.
- B. Knowledge of the BOROUGH OF PINE BEACH and the subject matter to be addressed under the contract.
- C. Availability to accommodate any required meetings of the Borough and, in the case of the Municipal Public Defender and Municipal Prosecutor, any required regular or special court sessions of the Borough.
- D. Such other factors demonstrated to be in the best interest of the Borough of Pine Beach, as contained in the detailed specifications for each position listed below.
- E. Fee schedule

In addition, the BOROUGH OF PINE BEACH reserves the right to consider the following other factors:

- A. Past performance;
- B. Whether the professional's proposal demonstrates a clear understanding of the scope of work and related objectives;
- C. Whether the professional's proposal is complete and responsive to the public notice and specifications;
- D. Whether the professional's past performance of the same or similar services has been documented;

E. History and experience of the professional in performing the work, including whether the professional is able to document a record of reliability;

F. Whether the professional has a record of honesty and moral integrity;

G. Availability of the professional's personnel, facilities and other resources, including proximity to the BOROUGH OF PINE BEACH;

H. The qualification and experience of the professional's staff;

I. Whether the professional provides a full explanation of its billing for goods and services, including a breakdown of specific tasks;

J. The professional's financial stability and strength.

The following are specifications specific to each position sought.

Borough Attorney

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with at least five (5) years experience representing municipal corporations, local government boards, or authorities, including, for example, planning boards or boards of adjustment, or municipal governing bodies. The Attorney should have knowledge of municipal law and transactions as well as have experience in litigation involving municipalities including actions in lieu of prerogative writs, actions under New Jersey Tort Claims Act, civil rights claims against municipalities under state and federal law, employment practices claims against municipalities under state and federal law, municipal management labor experience including contract negotiations, arbitrations, and grievance hearings. In addition, the Attorney should be competent and skilled in the preparation of ordinances, resolutions and legal opinions. The Attorney should also have experience in appellate practice. Law firms having members who are certified by the Supreme Court of New Jersey, the Board on Attorney Certification, as certified trial attorneys are encouraged to apply.

Land Use Board Attorney

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey and have a minimum of two (2) years experience representing boards of adjustment or planning boards of municipal governments or as an attorney appearing before such boards. Said Attorney shall have knowledge of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. The Attorney should be able to provide legal opinions and advice to board members, prepare resolutions memorializing the decisions of the board, and be prepared to represent the board in litigation including actions in lieu of prerogative writs and appellate practice.

Municipal Prosecutor

Should be an Attorney in good standing of the bar of the State of New Jersey and have a minimum of two (2) years experience as either a municipal prosecutor, assistant county prosecutor, deputy attorney general, or attorney in private practice who regularly has appeared in municipal courts, have knowledge of the New Jersey Court Rules regarding criminal and municipal court practice. The Attorney should be available to appear in regular and special sessions of the Municipal Court and provide advice to the records department of the Pine Beach Police Department concerning compliance with discovery requests, provide legal advice to the members of the Pine Beach Police Department concerning law enforcement related matters, and should be thoroughly familiar with the New Jersey Supreme Court Guidelines on plea bargains in municipal court.

Public Defender

The Attorney shall be an Attorney in good standing of the bar of the State of New Jersey and have a minimum of two (2) years experience as either a municipal public defender, deputy public defender for the State of New Jersey, or attorney in private practice who has experience defending persons charged with criminal offenses in the municipal or superior courts of New Jersey, shall be available to appear for regular and special sessions of the Pine Beach Municipal Court, shall be familiar with the rules governing municipal courts, and shall be familiar with the New Jersey Supreme Court Guidelines on plea bargains in municipal court.

Borough Planner

The Planner shall be a licensed Professional Planner of the State of New Jersey. The Planner shall attend and participate in day and/or evening meetings as directed by the Borough. The Planner shall provide planning services to the Borough. The Planner shall also review and respond to correspondence and review all projects to be considered by the Borough.

Borough Engineer

The Engineer shall be a licensed Professional Engineer of the State of New Jersey. The Engineer shall attend and participate in day and/or evening meetings as directed by the Borough. The Engineer shall provide assistance to the Borough Departments and review and respond to correspondence and review all projects undertaken by the Borough and review invoices from the contractors performing the work.

Borough Auditor

The Auditor shall be a public accountant of the State of New Jersey and have the designation of Registered Municipal Accountant (RMA). The Auditor shall audit the books, accounts and financial transactions in accordance with generally accepted auditing standards. A synopsis shall be prepared for the Mayor, Governing Body, and other Borough officials. The Auditor shall assist with the preparation of the municipal budget, to include attendance at committee, staff meetings and public hearings if requested. The Auditor shall assist with the preparation of the Annual Financial Statement and Annual Debt Statement.

Borough Bond Counsel

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with a minimum of ten (10) years experience, concentrating in the area of public finance and listed in the "Red Book" as a member concentrating in Public Finance as a Bond Counsel. The Attorney should have knowledge of municipal finance law and be competent and skilled in the preparation of ordinance, resolutions and legal opinions as they relate to municipal financing. The Attorney should be able to provide advice, legal assistance, and approving legal opinions acceptable to the market in connection with the sale of public securities.

General Conditions

Billing monthly unless otherwise specified

Payment of bills to be thirty (30) days from billing date.

Photocopying - Actual costs if sent to an outside copying service for large volume projects such as briefs and appendixes to appellate courts. For office photocopies, there is no charge for standard letters, envelopes and copies. For a large volume project in office, the Borough may be billed at the rate of \$.05 per page.

Telephone - Attorney time is billed at the actual time spent. There should be no cost charges for standard telephone and telefax services. In the event a large party conference call has to be set up, for example in a litigation matter between the court and attorneys for several parties, and an outside service is used, such as AT&T, the actual cost of the conference call as billed by AT&T may be billed to the Borough.

Facsimile - No charge for facsimile transmissions.

Messenger - The actual cost of the messenger may be added only when it is reasonable and necessary to use a messenger service.

Other Necessary Expenses - The only other costs added to a bill may be filing fees and recording fees to various courts and agencies which may be billed to the Borough at the actual cost.

Postage - Actual costs.